

REMARKS/ARGUMENTS

In response to the Office Action dated June 3, 2004, claims 1, 2, 4-7, 9-13 and 15 are amended. Claims 1, 2, 4-7, 9-13 and 15 are now active in this application with claims 3, 8, 14 and 16 withdrawn from consideration as being directed to a non-elected invention. No new matter has been added.

The Examiner advises that "Applicant should cancel the claims 3, 8, 14 and 16 in the unselected Group II". However, Applicants do not yet wish to cancel these claims as the Examiner has yet to indicate that this application is in condition for allowance.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 2, 7, 10, 12, 13 and 15 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner notes that claims 2 and 7's (also 10 and 12's) configuration information includes channels' priority information judged from the aspect of each plug and plug's priority information judged from each channel. The Examiner maintains that the claims do not enable one on how to utilize the priority information to prioritize system resources.

To expedite prosecution, claim 2 is amended to recite:

the configuration information including plug priority given as priority information to respective plugs corresponding to one of the channels; and
channel switching unit operable to switch the channel to a plug of which the priority of the priority information is highest, in case of the competition for the channel.

How to set the priority information to the physical plugs is described on page 11, lines 8 to 14 of the present specification. As shown in 125d of Fig. 4, the priority information about the physical plugs is associated with respective channels.

The plug priority information is used as described on page 15, line 20 to page 18, line 4. The description on page 17, lines 12-22 refers to the priority information, which is the physical plug priority information. That is to say, in the expression of the “priority information 125d of the audio output plug 113” (page 17, line 12) and the “priority information 125d of the MPEG input plug 11” (page 17, line 16), the audio output plug 113 and the MPEG input plug 11 are the physical plugs.

Claims 7, 10 and 12 are similarly amended.

Thus, claims 2, 7, 10 and 12, as amended, recite subject matter which is described in the specification in such a way as to enable one skilled in the art, or with which it is most nearly connected, to make and use the invention. Consequently, withdrawal of the rejection is respectfully solicited.

OBJECTION TO CLAIM 1 AND REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1, 2, 4-7, 9-13 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In support of this position, the Examiner identifies phrases that lack clear antecedent basis.

The Examiner also objects to claim 1 as having some informalities.

By this response, the noted informalities regarding claim 1 as well as each of the noted points of indefiniteness (claims 1 and 6) have been appropriately addressed. In particular, amended claim 1 now recites:

A digital device configured with controlling data input-output by connecting physical plugs and channels of a bus interface of which channel number is smaller than the physical plugs, comprising:

configuration information including channel priority information indicating the priority given to respective channels corresponding to one of the plugs; and

channel selecting unit operable to select a channel form among the channels according to the order of the channel priority.

Thus, it is respectfully urged that the objection to claim 1 and rejection of claims 1, 2, 4-7, 9-13 and 15 under 35 U.S.C. § 112, second paragraph, be withdrawn.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1, 4-6, 9 and 11 are rejected under 35 U.S.C. § 102(a) as being anticipated by submitted prior art.

The rejections are respectfully traversed.

Anticipation, under 35 U.S.C. § 102, requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference.

Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983).

The present invention is designed so as to logically connect channels and plugs in the order of higher priority imparted to the plugs/channels using the priority information (channel-plug priority information/physical plug priority information) included in the configuration information.

The prior art, as shown in Fig. 17 and Fig. 18, is explained in “the prior art of the invention” portion of the specification, beginning on page 1. Fig. 17 is concerned with an output control plug, and Fig. 18 is concerned with an input control plug. The prior art depicted in Fig. 17 and Fig. 18 do not use the priority information. Accordingly, the prior art depicted in Fig. 17 and Fig. 18 are not concerned with the present invention recited in independent claims 1, 6, 9 and 11.

In addition, the selecting means shown in Fig. 21 does not operate the switching of channel using the *priority information included in the configuration information*.

Thus, each element/step of each of independent claims 1, 6, 9 and 11 is **NOT** found in the “submitted prior art”, either expressly described or under principles of inherency. Consequently, independent claims 1, 6, 9 and 11, as well as dependent claims 4 and 5, are patentable over the “submitted prior art” and their allowance is respectfully solicited.

CONCLUSION

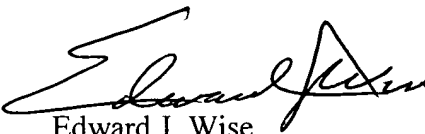
Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

09/825,284

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Edward J. Wise", with a stylized, sweeping flourish at the end.

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